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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MICHAEL GARCIA, and  
NANCY DALILA GARCIA ESCOBAR,  
  
Defendants.

CASE NO. 2:20-cr-00181-JAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

DATE: September 26, 2023  
TIME: 9:00 a.m.  
COURT: Hon. John A. Mendez

**STIPULATION**

1. By previous order, this matter was set for status on September 26, 2023. ECF No. 119.  
2. By this stipulation, defendants now move to continue the status conference until  
**December 12, 2023, at 09:00 a.m.**, and to exclude time between September 26, 2023, and December  
12, 2023, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case  
includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert  
recordings, pictures, investigative reports, and related documents. All of this discovery has been  
either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendants require additional time to review the discovery,

1 investigate any possible defenses, research potential pretrial motions, explore potential  
2 resolutions to the case, and otherwise prepare for trial. The parties are continuing their efforts on  
3 plea negotiations. Finally, counsel for defendants need additional time to prepare mitigation  
4 materials.

5 c) Counsel for defendants believes that failure to grant the above-requested  
6 continuance would deny them the reasonable time necessary for effective preparation, taking into  
7 account the exercise of due diligence.

8 d) The government object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the  
10 case as requested outweigh the interest of the public and the defendant in a trial within the  
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
13 et seq., within which trial must commence, the time period of September 26, 2023 to December  
14 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
15 Code T4] because it results from a continuance granted by the Court at defendant's request on  
16 the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
17 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 8, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ ADRIAN T. KINSELLA  
ADRIAN T. KINSELLA  
Assistant United States Attorney

Dated: September 8, 2023

/s/ HOOTAN BAIGMOHAMMADI  
HOOTAN BAIGMOHAMMADI  
Counsel for Defendant  
MICHAEL GARCIA

Dated: September 8, 2023

/s/ MICHAEL D. LONG  
MICHAEL D. LONG  
Counsel for Defendant  
NANCY GARCIA

**ORDER**

IT IS SO FOUND AND ORDERED.

Dated: September 13, 2023

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE